

REMARKS

In the Office Action, the Examiner rejected claims 1,2, 5, 6, 24, 26, and 38-41 under 35 USC 102. These rejections are fully traversed below.

Claims 1, 3, 4, 5, 26, 28, 29, 31 and 33 have been amended. Claims 25 and 27 have been cancelled. Claim 43 has been added. Thus, claims 1-6, 24, 26 and 28-43 are pending in the application. Reconsideration of the application is respectfully requested based on the following remarks

Claim Rejections – 35 USC 102

Claims 1-2, 5-6, 24, 26 and 38-41 have been rejected under 35 U.S.C. 102(b) as being anticipated by *Perlotto* (4,251,922).

The rejections are moot based on the amendments above. Particularly, in order to expedite the prosecution of this case, claim 1 was amended to include the limitations of allowed claim 25 and claim 26 was amended to include the limitations of allowed claim 27.

It should be noted that the Applicant still believes that the previous claims 1 and 26 should be allowed, and that the Applicant reserves the right to go after these claims in a continuing application. For example:

In contrast to *Perlotto*, claim 1 (and its dependents) specifically requires, “a positioning system for adjusting the position of the component of the drum assembly relative to the base when the portion of the drum assembly is positioned in the known position.” While *Perlotto* may disclose a tooling gage for gaging the accuracy of critical surfaces of the tool, *Perlotto* does not teach or suggest any means for adjusting the position of a workpiece to be gaged. The tool of *Perlotto* is used to verify surfaces not to align the surfaces as in the present invention. In *Perlotto*, the tool includes a work holder and one or more adjustable gaging devices. The gaging devices are adjustable as for example using adjustable mounts 20, 22, 24. The gaging devices 14, 16 and 18 as well as the adjustable mounts 20, 22, 24 however do not position the workpiece or any part thereof. They simply do not exert a force on the workpiece in order to reposition a

portion of the workpiece. In *Perlotto*, the gaging devices indicate position they do not cause new positions. No such mechanism exists in *Perlotto*. Accordingly, it is believed the rejection is unsupported by the art and should be withdrawn.

Furthermore, with regards to claims 3, 4, and 24, *Perlotto* fails to disclose, "...an adjustment screw threadably coupled to said adjustment post, the adjustment screw being configured to engage and exert a force on said component so as to adjust its position." While *Perlotto* may disclose micrometer screw 56, *Perlotto* does not teach or suggest a micrometer screw that adjusts the position of a component. In fact, *Perlotto* states, "A micrometer screw 56 rotatably mounted in block 58 on the slide 46 threads into the base 44 and is used for fine adjustment of the position of the slide with respect to the base and to indicate the position of adjustment on the scale (Col. 2, lines 37-31)." Indicating the position of an adjustment is not causing or making the adjustment. Accordingly, it is believed the rejection is unsupported by the art and should be withdrawn.

Allowable Subject Matter

Claim 1 has been amended to include the limitations of allowed dependent claim 25. Claim 26 has been amended to include the limitations of allowed claim 27. Allowed dependent claim 3 has been amended to include the limitations of independent claim 1. Allowed dependent claim 42 has been amended to include the limitations of independent claim 26. Furthermore, new claim 43, which includes the limitations of independent claim 1 and allowed dependent claim 4, was added. No new material was added in these amendments. Claims 1, 3, 26, 42 and 43 (as well as their dependents) are therefore allowable as the Examiner indicated allowable subject matter in the previous Office Action.

SUMMARY

Applicant respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to read "Hoellwarth", with a stylized flourish at the end.

Quin C. Hoellwarth
Reg. No. 45,738

P.O. Box 778
Berkeley, CA 94704-0778
(650) 961-8300